

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 27, 1891.—Ordered to be printed.

Mr. DAVIS, from the Committee on Pensions, submitted the following

REPORT:

[To accompany H. R. 9504.]

The Committee on Pensions, to whom was referred "An act granting a pension to Gottlieb Hunziker, have examined the same and report:

Your committee do not hesitate to agree with the conclusions arrived at by the House committee in their report on this case, which should be regarded as of unquestioned merit. They adopt the House report, and recommend the passage of the bill.

HOUSE REPORT.

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 9504) granting a pension to Gottlieb Hunziker, submit the following report:

Claimant enlisted August, 1863, and served until February, 1865, as a private in Company A, One hundred and seventy-sixth New York Volunteer Infantry Regiment. He was discharged May 25, 1865. As stated in his discharge, phthisis existed prior to his enlistment. This statement, in his certificate of discharge, by the surgeon who made out his discharge papers, is the cause of the rejection of his claim in the Pension Office.

That this statement is untrue is self-evident from the fact that he afterwards enlisted as a private in Company B, Third Regiment United States Cavalry, on the 4th day of December, 1865, under the assumed name of Jacob Muller, from which regiment he was discharged in May, 1868, on account of disability.

The evidence on file shows conclusively that the disability existed, as evidenced by the medical board who examined him, and as to the incurrance of the disability in the service there is no doubt.

The evidence shows that he suffered from bronchitis, tonsilitis, catarrh, cold, disease of the heart, diarrhea, conditis, and, finally, pulmonaris.

He is an uneducated German, who can not speak the English language, and was left in New Mexico, away from his former acquaintances. The only evidence that is lacking, and the reason for the rejection of the claim by the Pension Office, is the proof of prior soundness. The statement made by the surgeon who made out the certificate of discharge, which was the sole cause of rejection, was, to say the least, based upon merely the judgment of the surgeon.

This claim should have been allowed in the Pension Office, and your committee deem it an outrage that the Government should accept a man as sound and after a long service reject his claim as for prior unsoundness.

Your committee believe this to be a meritorious case and recommend the passage of the bill.